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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211879
Party	Plaintiff Tarisio Auctions LLC
Correspondence Address	PETER J VRANUM GORDON HERLANDS RANDOLPH & COX LLP 355 LEXINGTON AVENUE NEW YORK, NY 10017 UNITED STATES pvrانum@gordonherlands.com
Submission	Reply in Support of Motion
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Date	09/19/2014
Attachments	cozio.reply.pdf(88371 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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TARISIO AUCTIONS LLC,)	
)	Opposition No. 91211879
Opposer,)	
)	Application Serial No. 85756067
v.)	
)	
CONTE COZIO AUCTIONS)	
LLC DBA CONTE COZIO,)	
)	
Applicant.)	
-----X		

OPPOSER'S MOTION IN FURTHER SUPPORT OF
ITS MOTION FOR SUMMARY JUDGMENT

Opposer Tarisio Auctions LLC, hereby submits this brief in further support of Opposer's Motion for Summary Judgment pursuant to TBMP §528 and Fed. R. Civ. P. 56. Applicant did not file a response to Opposer's instant motion, and has not raised any triable issue with respect to this motion for summary judgment.


Opposer filed and served its motion for summary judgment on August 6, 2014. Applicant's deadline to file an opposition to Opposer's motion expired on September 10, 2014 (30 days + 5 days for service by U.S. Mail). Applicant failed to oppose Opposer's instant motion. 37 C.F.R. §2.127(a) states, "When a party fails to file a brief in response to a motion, the Board may treat the motion as conceded." Accordingly, Opposer respectfully requests the Board grant its Motion for Summary Judgment

There is no dispute as to the material facts in this case and the proceeding should be decided by summary judgment. Opposer respectfully requests the Board grant its unopposed

Motion for Summary Judgment in its entirety.

Dated: New York, New York
September 20, 2014

GORDON, HERLANDS,
RANDOLPH & COX LLP

By: 
Peter J. Vranum
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CERTIFICATE OF SERVICE

The undersigned, counsel for Opposer, hereby certifies under penalty of perjury that I caused a true correct copy of the attached OPPOSER'S BRIEF IN FURTHER SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT to be sent by First Class Mail, on September 20, 2014, to:

Dennis Krasnokutsky
Conte Cozio Auctions, LLC
1213 Vine Street, Suite 215
Philadelphia, PA 19107

And by sending a copy by email to "info@contecozio.com"



Peter J. Vranum